REMARKS

Claims 1-8, 10-18 and 20-28 are pending in the application.

The independent claims have been amended herein to clarify applicant's claimed invention. The amendments to claims 1, 10, 11, 20 and 21 are supported by the description on page 53, lines 1-9 of applicant's specification. No new matter is entered.

Claims 1, 8-10, 21 28, 29 and 31 are rejected under 35 U.S.C. 102 as being anticipated by Apfel.

It the previous Office Action page 21 the examiner submitted that the features argued were not present in the claimed invention. Applicant has clarified the claimed invention in that a plurality of versions of a plurality of software components which are distributed over a plurality of the clients when more than one version of a software component may coexist in each the client are changed, without stopping transaction processing.

It is respectfully submitted that the structure of Apfel is different from that of the claimed invention. The dynamic linkage recited in the present claimed invention makes it possible to replace programs without service interruptions. The features recited in applicant's claimed invention are not disclosed by Apfel.

Difference between claim 1 and Apfel

The feature of applicant's claim 1 is that a program executing unit dynamically links one of new program components to a program memory unit in which another program is running, so as to enable execution of the new program components in a process, without stopping transaction processing. These features are supported in applicant's specification for example see Fig. 1 and p. 23, line 6- p. 26, line 7, and page 53, lines 1-9.

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Therefore from applicant's recited features a new program is transferred to memory without stopping transaction processing (a sequence of processes necessary for executing the corresponding program). As described above, it is possible to dynamically incorporate a new program in a currently running process. That is, a program component can be replaced without stopping the transactions of the currently running process.

On the other hand, Apfel teaches a new program is transferred to a user's computer from a server via a network and is installed based on the determination of the user. Therefore, Apfel is essentially different from the dynamic linkage of a program that a new program is loaded while another program is running, as described in the present claimed invention.

Because of applicant's unique combination of claimed features, the dynamic linkage makes it possible to replace programs without service interruption. It is respectfully submitted that this feature is not disclosed by Apfel.

Boutcher

Claims 11, 18, 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Boutcher.

Applicant's claim 11 includes a server apparatus having a distributed object execution control unit which dynamically links programs corresponding to the version information, and which changes, without stopping transaction processing, a plurality of versions of a plurality of software components which are distributed over a plurality of the client apparatuses when more than one version of a software component may coexist in each the client apparatus.

Difference between claim 11 and Boutcher

There is no suggestion in Boutcher of the dynamically linking to the memory, programs corresponding to the version information contained in the first message of which skeleton processing is executed by the server skeleton processing unit so as to enable execution of at least

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one function in the programs, and which changes, without stopping transaction processing, a plurality of versions of a plurality of software components which are distributed over a plurality of the client apparatuses when more than one version of a software component may coexist in each the client apparatus.

Boutcher provides a version map that corresponds versions in the format of remote procedure demand, and therefore makes it possible for client-server communication even if the versions that the client and the server support are different from each other.

However because of applicant's claimed invention, new software program components can be dynamically loaded, without stopping transactions in a client server system in which distributed object computing is performed. It is respectfully submitted that the claimed invention does not relate to the remote procedure control described in the Boutcher invention.

Independent claim 20 is a server apparatus with similar distinguishing features as recited in claim 11. Consequently, it is submitted that the independent claims 11 and 20 are not anticipated by Boutcher and the rejection should be withdrawn.

Claim 18 is directed to a management server depending from claim 11. For at least the reasons set forth above, it is respectfully submitted that Boutcher is different from the claimed inventions and does not sustain the section 102 rejection of claim 18 due to at least the dependency upon claim 11.
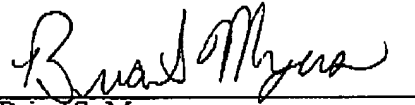
Regarding rejection under 35 U.S.C. § 103

Under 35 U.S.C. 103 claims 2, 3, 6, 7, 22, 23, 26 and 27 are rejected as unpatentable over Apfel in view of Hunt; claims 4, 5, 24 and 25 are rejected as unpatentable over Apfel in view of Hapner et al.; claims 12, 13, 16 and 17 are rejected as unpatentable over Boutcher in view of Hunt; claims 14 and 15 are rejected as being unpatentable over Boutcher in view of Hapner et al.

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For at least the reasons set forth above independent claims 1, 10 and 21 are different from Apfel and independent claims 11 and 20 are different from Boutcher. Therefore, it is respectfully submitted that the dependent claims depending from them are not obvious with the combination of other references with Apfel or Boutcher because such a combination of references is missing at least the distinguishing features as outlined above.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is invited to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

Brian S. Myers
Reg. No. 46,947

CUSTOMER NUMBER 026304
Telephone: (212) 940-8703
Fax: (212) 940-8986 or 8987
Docket No.: 100794-11554 (FUJR 18.034)
BSM:fd

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